IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25218 of 2004

Between:

A.P. Genco Transco & Discoms Workers' Union (Regd. NO. H 43), rep by its President J. Sreedhar Babu, H. Q. at H.No. 19-5-32/13/A/19, Kishan Bagh, Hyderabad - 64.

..... PETITIONER

AND

1 The Chairman, A.P. Power Generation, Corporation Limited, Vidyut Soudha, Hyderabad.
2 The Managing Director, A.P.Power Generation Corporation Ltd. Vidyut Soudha, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not considering and disposing of the 1st petitioner's representation dt.30-9-2004 made on behalf of the other petitioners for filling up of the existing vacancies in KTPS with them as arbitrary, illegal and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to fill up the existing vacancies in KTPS with the petitioners No.2 to 141 who are having bonafide certificates by conducting fresh interviews and verifying their certificate.

Counsel for the Petitioner:MR.ANDERAVI KUMAR

Counsel for the Respondent Nos.1&2: SMT.K.SESHARAJYAM

The Court at the stage of admission, made the following :

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ORDER:

For not considering the representation of the petitioners dated 30.9.2004 for filling up of the existing vacancies in KTPS and for consequential direction to the respondents to fill up the existing vacancies in KTPS, the present writ petition is filed.

The learned counsel for the petitioners contended that though they worked as contract labourers from the year 1991 onwards, those posts were upheld in the year 1996 and thereafter, certain guidelines have been issued for obsorption of the contract labourers. The case of the petitioners have not been considered. Hence, the writ petition.

The grievance of the petitioners is that the representation of the petitioners dated 30.9.2004 has to be considered in filling up of existing vacancies in KTPS.

On the other hand, the learned Standing Counsel appearing for the respondents contended that the petitioners have no right to ask the management to fill up the posts. It is for the management to take appropriate decision in filling up the posts considering the exigency of

work.

The petitioners made a representation dated 30.9.2004 to take appropriate decision with regard to the engagement of the employees of the first respondent. Appropriate decision has to be taken by the 1st respondent in accordance with the Rules and Regulations and also Board proceedings, if any.

Accordingly, the writ petition is disposed of directing the respondents to take appropriate decision in accordance with the Rules and Regulations and also Board proceedings, if any, within a period of two months from the date of receipt of a copy of this order. No order as to costs.

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31.12.2004

bsv

To

1. The Chairman, A.P. Power Generation, Corporation Limited, Vidyut Soudha,

Hyderabad.

2 The Managing Director, A.P.Power Generation Corporation Ltd. Vidyut Soudha,

Hyderabad.

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